REGULAR CITY COUNCIL MEETING
FRISCO CITY HALL
GEORGE A. PUREFOY MUNICIPAL CENTER
COUNCIL CHAMBERS
6101 FRISCO SQUARE BLVD.
FRISCO, TEXAS 75034

5:30 PM

TUESDAY, MARCH 01, 2011

AGENDA

CALL TO ORDER

1. ROLL CALL

CLOSED SESSION

2. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit;
   - A. Section 551.071. Meeting with City Attorney regarding a matter(s) in which the duty of the City Attorney under the Texas Disciplinary rules of Professional Conduct of the State Bar of Texas conflicts with the Open Meetings Act regarding:
     - i. Receive legal advice regarding the Sports Facility Lease Agreement dated January 24, 2008, by and between the City of Frisco, Texas (Lessor) and Sports Village Operating I, LLC (Lessee).
     - ii. Receive legal advice from City Attorney concerning legal issues regarding Exide and lead issues.
     - iii. Receive legal advice regarding legal concerns raised by Homebuilders Association concerning Frisco's Energy Star Program.
   - B. Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:

i. South of US 380, North of The Colony city limits and North of 121, East of FM 423, and West of Preston Road.

C. Section 551.087. Deliberation regarding commercial or financial information that the City has received from a business prospect and to deliberate the offer or other incentives to a business prospect.

3. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

4. Youth Peace Day International

5. Eagle Scouts - Bryce Freeman, Sean Cororan, Tyler Houston and Zach Reddington

REPORTS

6. Recognition of Be Fit Frisco Logo Design Winner

7. Texas Municipal Library Directors Association 2010 Achievement of Excellence in Libraries Award

8. Library report on usage and programming activities

9. Engineering Services Monthly Report on Roads, Traffic, Water & Sewer Projects

10. Parks and Recreation Monthly Report regarding Park and Trail Development, Facilities, Special Events and Youth Development

CITIZEN INPUT (to begin approximately at 7:30 p.m.)

CONSENT AGENDA

(Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion. A majority of the Council is required to remove any item for discussion and separate action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

11. Consider and act upon approval of the Minutes from the February 15, 2011 Regular City Council Meeting (CSO/JP)

12. Acceptance of Quarterly Investment Report for the period October 1, 2010 – December 31, 2010. (Financial Services/AC)

13. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Amendment Number One to the Professional Services Agreement by and between the City of Frisco and RLK Engineering to perform 8' hike and bike trails revision and median landscape design for Independence Parkway Improvements from Main Street to Northern City Limits. (Engineering/TN)

14. Consider and act upon authorization for the City Manager to execute Change Order Number Eight to the AIA Standard Form Agreement, document A101-2007, for Construction Services by and between the City of Frisco and McCarthy Building Services, Inc., for Construction Services for the Frisco Municipal Center Parking Garage. (Engineering/BB)

15. Consider and act upon adoption of a Resolution ratifying the City Manager's, or his designee's, execution of the Takeover Agreement by and between the City of Frisco and North American Specialty Insurance Company, for the completion of Preston Road 24-inch Water Transmission Main (Stonebrook Parkway to Main St./FM 3537) (Engineering/AH)

16. Consider and act upon adoption of a Resolution authorizing the City Manager to execute the Takeover Agreement by and between the City of Frisco and North American Specialty Insurance Company, for the completion of 4th Army Memorial Drive Force Main (16") (Stewart Creek WWTP to Morgan Hill Road) (Engineering/AH)

17. Consider and Act on a Resolution approving a grant application concerning the use of Collin County's TCEQ Local Initiative Project funds to purchase Idle Reduction power units for Police Department squad cars. The City would become a sub-grantee by asking Collin County (in the form of an Interlocal Agreement) to release grant funds to the City of Frisco to purchase Idle Reduction power units for the Police Department by the City Manager or his designee. (Police/GW)

18. Consider and Act Upon Authorizing the City Manager to Execute a Settlement Agreement with Municipal Services Bureau for Claims Against the City Concerning Collection of Utility Bills. (CMO/NL)

LEGISLATIVE AGENDA

(These items may legally require Council Action, but by Council Policy should be the City Manager's responsibility. The Legislative Agenda can be acted upon in one motion. The concurrence of two council members is required to remove any item for separate discussion and action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

REGULAR AGENDA

19. Presentation and Acceptance of the Fiscal Year 2010 Comprehensive Annual Financial Report and Auditor's Report (Financial Services/AC)

20. Public Hearing: Zoning Case ZA09-0006, A request to adopt a revised

Comprehensive Zoning Ordinance and repeal the existing Comprehensive Zoning Ordinance, as amended (Ordinance No. 00-11-01) and consider and act to direct staff to prepare and Ordinance of the same. (Development Services/MW)

21. Consider and Act Upon Approval of Amendment to Ordinance No. 10-09-43 Adopting the City of Frisco Community Development Corporation (FCDC) Fiscal Year 2011 Budget.

22. Discuss and receive recommendations for polling locations for the May 2011 General Election. (CSO/JP)

23. Consider and act upon actions necessary for the May 14, 2011 General Election in the City of Frisco. (CSO/JP)
Considere y actúe sobre acciones necesarias para la Elección general en la Ciudad de Frisco el 14 de Mayo, 2011. (CSO/JP)

A. Consider and act on an Ordinance of the City Council of the City of Frisco, Texas, repealing Ordinance No. 03-02-04 and Ordinance No. 10-01-06 and designating six (6) election precincts for elections to be held in the City of Frisco, Texas; Providing for the Pre-Clearance and all necessary actions; and Providing for an effective date. (CSO/JP)

   Considere y actúe sobre una Ordenanza del Ayuntamiento de la Ciudad de Frisco, Texas, revocando Ordenanza No.03-02-04 y la Ordenanza No.10-01-06 y designando seis (6) zonas de elección para elecciones que se convocarán en la Ciudad de Frisco, Texas; Proporcionando pre-consentimiento y todas otras acciones necesarias; y Proporcionando una fecha de vigencia. (CSO/JP)

B. Consider and act on a Resolution of the City Council of the City of Frisco, Texas, designating election day polling places within the election precincts within the City of Frisco, Texas for elections ordered; Providing for Pre-Clearance and all other necessary actions; and Providing an effective date. (CSO/JP)

   Considere y actúe sobre una Resolución del Ayuntamiento de la Ciudad de Frisco, Texas, designando centros electorales de día de elecciones dentro de las zonas de elección dentro de la Ciudad de Frisco, Texas para elecciones ordenadas; Proporcionando pre-consentimiento y todas otras acciones necesarias; y Previendo una fecha de vigencia. (CSO/JP)

C. Consider and act upon a Resolution of the City Council of the City of Frisco, Collin and Denton County, Texas, ordering a Joint General Election to be held jointly with the Frisco Independent School District and Administered by the Collin County Elections Administrator on May 14, 2011, for the purpose of electing the positions of Mayor and two (2) members (Place 5 and Place 6) to the Frisco City Council; Designating locations of Polling Places; Designating filing deadlines; Ordering Notices of Election to be given as prescribed by law in connection with such

election. (CSO/JP)

Considere y actúe sobre una Resolución del Ayuntamiento de la Ciudad de Frisco, Condado de Collin y Denton, Texas, ordenando una Elección General Conjunta convocada colectivamente con el Distrito Escolar Independiente de Frisco y Administrado por el Administrador de Elecciones del Condado de Collin el 14 de Mayo de 2011, para el propósito de elegir las posiciones de Alcalde y dos (2) miembros (posición 5 y posición 6) al Ayuntamiento de la Ciudad de Frisco; Designando las localidades de Centros Electorales; Designando fecha topes para archivar; Ordenando Notificaciónes de Elección para dar como prescrito por la ley con respecto a tal elección.(CSO/JP)

24. Consider and Act Upon an Ordinance of the City Council of the City of Frisco, Texas, Ordering a Special Election on May 14, 2011, for the Purpose of Submitting to the Qualified Voters of Frisco a Proposition to Revoke the Authority to Issue Bonds for a Performing Arts Center also known as the Arts of Collin County Project, to be held in Conjunction with the Joint General on May 14, 2011; Designating the Places at which said Election is to be held and setting forth the election precincts within the City; Designating the Collin County Elections Administrator to Administer the Election; Establishing Compensation of Election Judges and Clerks; Establishing Procedures for Voting and Early Voting; Providing for Publication and Posting of Notice; Authorizing the City Secretary to Make Submissions to the United States Justice Department for Pre-Clearance Approval; Establishing Other Procedures for Conducting the Election; and Providing a Severability Clause and an Effective Date. (Council)

Considere y Actúe Sobre una Ordenanza del Ayuntamiento de la Ciudad de Frisco, Ordenando una Elección Especial el 14 de Mayo de 2011, para el Propósito de Someterse a los Votantes Calificados de Frisco una Proposición para Revocar la Autoridad para Publicar Bonos para un Centro de Artes Interpretativas también conocido como el Projecto de las Artes del Condado de Collin, para ser tenido en Conjunción con la Elección General Conjunta el 14 de Mayo de 2011; Designar los Lugares en que dicha Elección es de ser tenida y exponer las zonas de elección dentro de la Ciudad; Designar al Administrador de Elecciones del Condado de Collin para Administrar la Elección; Establecer Compensación de Jueces de Elección y Empleados de Registro; Establecer Procedimientos para Votar y Votar Temprano; Prever para Publicación y Anuncio de Nota; Autorizar a la Secretaria de la Ciudad Hacer Sumisiones al Departamento de Justicia de EE.UU. para Proporcionar Pre-Consentimiento; Establecer Otros Procedimientos para Realizar la Elección; Y Proporcionar una Cláusula de Divisibilidad y una Fecha de Vigencia.

25. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the City Council to Development Services, pursuant to Article IV, Section 1.07(C) of the Comprehensive Zoning Ordinance and/or Section 4.05 of the Subdivision Regulation Ordinance, regarding action taken by

the Planning and Zoning Commission on any site plan or plat. Any written notice of appeal must be submitted to Development Services. (Development Services)

26. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.

27. Discussion on Governance Monitoring of present City Council Meeting.

ADJOURN

CERTIFICATION

Henry J. Hill, Deputy City Manager, certifies that this Notice of Meeting was posted on the outside bulletin board, at the City Hall of the City of Frisco, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time:

By Friday, February 25, 2011 at 5:30 PM and remained so posted at least 72 hours before meeting was convened.

If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the City Council at the date, hour and place given in this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

§ 551.071 – Private consultation with the attorney for the City.
§ 551.072 – Discussing purchase, exchange, lease or value of real property.
§ 551.074 – Discussing personnel or to hear complaints against personnel.

NOTICE

Pursuant to City of Frisco Ordinance Number 01-04-29 all speakers other than City of Frisco Staff are limited to five (5) minutes per item except by prior consent of the City Council.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS

The Frisco City Hall is wheelchair accessible. Access to the building and special parking are available at the primary north entrance facing Frisco Square Blvd. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at (972) 292-5025 or by FAX (972) 292-5028. BRAILLE IS NOT AVAILABLE.